Court No. 7

IN THE HIGH COURT OF UTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: November 09, 2006.

Criminal Bail application No. 1054 of 2006

Order on the bail application of accused.

CRIMINAL SIDE

Pritam alias Raju S/o Shri Pooran Thakur,
R/o Hasmi Nagar,
Police Station – Milekh Khanam,
District – Rampur (U.P.)
..... Applicant (In Jail)

Versus

State of Uttaranchal ..... Opp. Party.

Arising out o Case Crime No. 4890/2006
Under Sections 363,366 & 376 I.P.C.
Police Station-Haldwani,
District-Nainital,

Hon'ble Dharam Veer, J.

Heard Sri R.S.Rawat, learned counsel for the applicant and Sri Harish Pande, learned A.G.A. for the State.

I have gone through the order dated 11.10.2006 passed by learned Sessions Judge, Nainital rejecting the bail application of applicant and the first information report.

According to first information report lodged by the father of the prosecutrix, he has gone somewhere out of his house on 25.08.2006. When he came back on 27.08.2006 to his house then somebody has informed him that his daughter Islam Jahan has gone somewhere alongwith the accused Kanta and Preetam alias Raju.

The girl has come back to her house. She was medically examined on 30.08.2006. As per the gynecological report it appears offence for attempt to commit rape is made out. The prosecutrix is aged about 16 to 18 years.

Considering the facts and circumstances of the case, I think it is a fit case for bail. Let the applicant be released on bail on his furnishing a personal bond with two sureties in the like amount to the satisfaction of the Magistrate concerned.

(Dharam Veer, J.)
09.11.2006

P.Sing